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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,  
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11 Plaintiff,  
12 v.  
13 KYLE ERICKSON,  
14 Defendant.

Case No. 2:19-CR-191-RSL  
  
ORDER GRANTING  
MOTION TO CONTINUE  
TRIAL DATE

15 This matter comes before the Court on defendant Kyle Erickson's "Unopposed Motion to  
16 Continue Trial and Pretrial Motions." Dkt. #15. Having considered the facts set forth in the  
17 motion, and defendant's knowing and voluntary waiver, the Court finds as follows:

18 1. The Court adopts the facts set forth in the unopposed motion; specifically, that  
19 defense counsel needs additional time to review the discovery provided by the government and  
20 to prepare for trial. The Court accordingly finds that a failure to grant a continuance would deny  
21 counsel, and any potential future counsel, the reasonable time necessary for effective  
22 preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C.  
23 § 3161(h)(7)(B)(iv).  
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25 2. The Court finds that a failure to grant a continuance would likely result in a  
26 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).  
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3. The Court finds that the additional time requested between December 16, 2019, and the proposed trial date of March 2, 2020 is a reasonable period of delay, as defense counsel needs additional time to review discovery. The Court finds that this additional time is necessary to provide defense counsel reasonable time to prepare for trial, considering all the facts set forth above.

4. The Court further finds that this continuance would serve the ends of justice, and that these factors outweigh the best interests of the public and defendant in a speedier trial, within the meaning of 18 U.S.C. § 3161(h)(7)(A).

5. Defendant has signed a waiver indicating that he has been advised of his right to a speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived that right and consented to the continuation of his trial to a date up to and including April 30, 2020, Dkt. #14, which will permit trial to start on March 2, 2020, per the parties' request.

IT IS HEREBY ORDERED that the trial date be continued from December 16, 2019 to March 2, 2020.

IT IS FURTHER ORDERED that the pretrial motions deadline be continued to January 27, 2020.

IT IS FURTHER ORDERED that the period of time from the current trial date of December 16, 2019, up to and including April 30, 2020, shall be excludable time pursuant to 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).

DATED this 4<sup>th</sup> day of November, 2019.

Mr S Casnik

Robert S. Lasnik  
United States District Judge